

STATE OF FLORIDA  
DIVISION OF ADMINISTRATIVE HEARINGS

Attachment # 1  
Page 1 of 34

DEPARTMENT OF COMMUNITY  
AFFAIRS,

Petitioner,

and

FLORIDA WILDLIFE FEDERATION,  
THE SIERRA CLUB, INC.,  
CONCERNED CITIZENS OF  
WAKULLA, INC. and LEON COUNTY

Intervenors,

v.

DOAH Case No. 03-4516GM

WAKULLA COUNTY,

Respondent,

and

N.G. WADE INVESTMENT  
COMPANY, INC.,

Intervenor.

RECEIVED  
05 JAN 18 AM 11:40  
LEON COUNTY  
ATTORNEY'S OFFICE

**NOTICE OF FILING STIPULATED SETTLEMENT AGREEMENT  
AND REQUEST FOR STAY OF PROCEEDINGS**

Petitioner Department of Community Affairs (Department), pursuant to Section  
163.3184(16)(b), Florida Statutes, hereby submits this Notice of Filing Stipulated Settlement  
Agreement and Request for Stay of Proceedings.

**Notice of Filing Stipulated Settlement Agreement**

1. The Department, Wakulla County, and N.G. Wade Investment Company, Inc.  
have entered into a Stipulated Settlement Agreement. The Department hereby gives notice of

filing a true and correct copy of this Agreement, which is attached hereto as Exhibit A.

### **Request for Stay of Proceedings**

2. The Agreement is being filed pursuant to Section 163.3184(16)(b), Florida

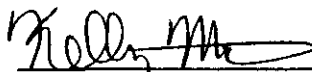
Statutes, which provides as follows:

Upon filing by the state land planning agency of a compliance agreement executed by the agency and the local government with the Division of Administrative Hearings, any administrative proceeding under ss. 120.569 and 120.57 regarding the plan or plan amendment covered by the compliance agreement shall be stayed.

3. The Department respectfully requests this proceeding be stayed pursuant to this statutory provision.

WHEREFORE, the Department respectfully requests that this Notice be accepted; that this Request be granted; that this matter be placed into abeyance; and that such other relief be granted consistent with this Report as is just and fair.

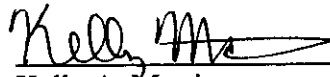
RESPECTFULLY SUBMITTED this 11th day of January, 2005.



Kelly A. Martinson  
Assistant General Counsel  
DEPARTMENT OF COMMUNITY AFFAIRS  
2555 Shumard Oak Blvd.  
Tallahassee, Florida 32399-2100  
Ph: (850) 488-0410  
Fax: (850) 922-2679

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to the persons listed below by First Class U.S. Mail this 11th day of January, 2005.

  
\_\_\_\_\_  
Kelly A. Martinson

**Copies furnished to:**

Ronald A. Mowrey, Esquire  
Mowrey & Biggins, P.A.  
515 North Adams Street  
Tallahassee, Florida 32301-1111

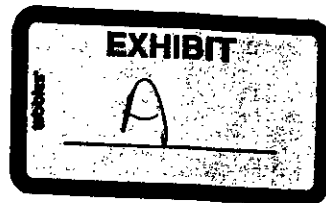
Jeffery S. Richardson, Esquire  
6753 Thomasville Road, Suite 108  
Tallahassee, Florida 32312

Robert A. Routa, Esquire  
Robert A. Routa, P.A.  
Post Office Drawer 6506  
Tallahassee, Florida 32314-6506

David A. Theriaque, Esquire  
Theriaque & Associates  
1114 East Park Avenue  
Tallahassee, Florida 32301-2651

Herbet W. A. Thiele, Esquire  
Leon County Attorney's Office  
301 South Monroe Street, Suite 217  
Tallahassee, Florida 32301-1803

Curt G. Levine, Esquire  
Law Offices of Curt Levine  
1969 South Alafaya Trail, Suite 218  
Orlando, Florida 32828-8732



STATE OF FLORIDA  
DIVISION OF ADMINISTRATIVE HEARINGS

STATE OF FLORIDA, DEPARTMENT  
OF COMMUNITY AFFAIRS,

Attachment # 1  
Page 4 of 34

Petitioner,

and

FLORIDA WILDLIFE FEDERATION,  
THE SIERRA CLUB, INC.,  
CONCERNED CITIZENS OF  
WAKULLA, INC.,

Intervenors,

v.

DOAH Case No. 03-4516GM

WAKULLA COUNTY,

Respondent,

and

N.G. WADE INVESTMENT COMPANY,  
INC.,

Intervenor.

\_\_\_\_\_ /

**STIPULATED SETTLEMENT AGREEMENT**

THIS STIPULATED SETTLEMENT AGREEMENT is entered into by and between the Petitioner State of Florida, Department of Community Affairs, Respondent Wakulla County, and Intervenors Florida Wildlife Federation, The Sierra Club, Inc., Concerned Citizens of Wakulla County, Inc., and N.G. Wade Company, Inc., as a complete and final settlement of all claims raised in the above-styled proceeding.

**RECITALS**

WHEREAS, the State of Florida, Department of Community Affairs (hereinafter, "DCA or Department"), is the state land planning agency and has the authority to administer and

enforce the Local Government Comprehensive Planning and Land Development Regulation Act, Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Wakulla County (hereinafter, "Local Government") is a local government with the duty to adopt comprehensive plan amendments that are "in compliance," and

WHEREAS, the Local Government adopted Comprehensive Plan Amendment 03-1 (hereinafter, "Plan Amendment") by Ordinance No. 2003-23 on October 6, 2003.

WHEREAS, the Department issued its Statement and Notice of Intent regarding Ordinance No. 2003-24, on or about November 26, 2003, finding the Plan Amendment "not in compliance."

WHEREAS, as set forth in the Statement of Intent, the Department contends that the Amendment is not "in compliance" because: (i) the amendment does not adequately address site suitability and natural resources, including impacts on groundwater recharge, (ii) the amendment does not include sufficient data and analysis regarding roadway level of service and (iii) fails to coordinate with adjacent local governments pursuant to the County's Intergovernmental Coordination Element Policies, and (iv) need for residential and non-residential is not adequately demonstrated, and (vi) the amendment is inconsistent with other Goals, Objectives and Policies within the Wakulla County Comprehensive Plan.

WHEREAS, pursuant to Section 163.3184(10), Fla. Stat., (2003), DCA has initiated the above-styled formal administrative proceeding challenging the Amendment; and

WHEREAS, the Local Government disputes the allegations of the Statement of Intent regarding the Amendment; and

WHEREAS, the parties wish to avoid the expense, delay, and uncertainty of lengthy litigation and to resolve this proceeding under the terms set forth herein, and agree it is in their

respective mutual best interests to do so;

NOW, THEREFORE, in consideration of the mutual covenants and promises herein below set forth, and in consideration of the benefits to accrue to each of the parties, the receipt and sufficiency of which are hereby acknowledged, the parties hereby represent and agree as follows:

**GENERAL PROVISIONS**

1. **Definitions.** As used in this agreement, the following words and phrases shall have the following meanings:
  - a. **Act:** The Local Government Comprehensive Planning and Land Development Regulation Act, as codified in Part II, Chapter 163, Florida Statutes.
  - b. **Agreement:** This stipulated settlement agreement.
  - c. **Comprehensive Plan Amendment** or **Plan Amendment:** Comprehensive plan amendment 03-1 adopted by the Local Government as Ordinance No. 2003-23, on or about October 6, 2003.
  - d. **DOAH:** The Florida Division of Administrative Hearings.
  - e. **In compliance** or **into compliance:** The meaning set forth in Section 163.3184(1)(b), Florida Statutes.
  - f. **Notice:** The notice of intent issued by the Department to which was attached its statement of intent to find the plan amendment not in compliance.
  - g. **Petition:** The petition for administrative hearing and relief filed by the Department in this case.
  - h. **Remedial Action:** A remedial plan amendment, submission of support document or other action described in the statement of intent or this agreement as an action which must be completed to bring the plan amendment into compliance.
  - i. **Remedial Plan Amendment:** An amendment to the plan or support document, the need for which is identified in this agreement, including its exhibits, and which

the local government must adopt to complete all remedial actions. Remedial plan amendments adopted pursuant to this Agreement must, in the opinion of the Department, be consistent with and substantially similar in concept and content to the ones identified in this Agreement or be otherwise acceptable to the Department.

j. Statement of Intent: The statement of intent to find the Plan Amendment not in compliance issued by the Department in this case.

k. Support Document: The studies, inventory maps, surveys, data, inventories, listings or analyses used to develop and support the Plan Amendment or Remedial Plan Amendment.

2. Department Powers. The Department is the state land planning agency and has the power and duty to administer and enforce the Act and to determine whether the Plan Amendment is in compliance.

3. Negotiation of Agreement. The Department issued its Notice and Statement of Intent to find the Plan Amendment not in compliance, and filed the Petition in this case to that effect. Subsequent to the filing of the Petition the parties conferred and agreed to resolve the issues in the Petition, Notice and Statement of Intent through this Agreement. It is the intent of this Agreement to resolve fully all issues between the parties in this proceeding.

4. Dismissal. If the Local Government completes the Remedial Actions required by this Agreement, the Department will issue a cumulative Notice of Intent addressing both the Remedial Plan Amendment and the initial Plan Amendment subject to these proceedings. The Department will file the cumulative Notice of Intent with the DOAH. The Department will also file a request to relinquish jurisdiction to the Department for dismissal of this proceeding or for realignment of the parties, as appropriate under Section 163.3184(16)(f), Florida Statutes.

5. Description of Provisions not in Compliance and Remedial Actions; Legal Effect of Agreement. Exhibit A to this Agreement is a copy of the Department's Petition, which identifies the provisions not in compliance. Exhibit B contains the Remedial Action and Remedial Plan Amendment needed for compliance. Exhibits A and B are incorporated in this

Agreement by this reference. This Agreement constitutes a stipulation that if the Remedial Action is accomplished, the Plan Amendment will be in compliance.

6 Remedial Actions to be Considered for Adoption. The Local Government agrees to consider for adoption by formal action of its governing body all Remedial Actions and Remedial Plan Amendments described in Exhibit B no later than the time period provided for in this Agreement.

7 Adoption or Approval of Remedial Plan Amendments. Within 60 days after execution of this Agreement by the parties, the Local Government shall consider for adoption all Remedial Actions or Plan Amendments and amendments to the Support Documents. This may be done at a single adoption hearing. Within 10 working days after adoption of the Remedial Plan Amendment, the Local Government shall transmit three (3) copies of the amendment to the Department as provided in Rule 9J-11.011(5), Florida Administrative Code. The Local Government also shall submit one copy to the regional planning agency and to any other unit of local or state government that has filed a written request with the governing body for a copy of the Remedial Plan Amendment and a copy to any party granted intervenor status in this proceeding. The Remedial Plan Amendment shall be transmitted to the Department along with a letter that describes the remedial action adopted for each part of the plan amended, including references to specific portions and pages.

8. Acknowledgment. All parties to this Agreement acknowledge that the "based upon" provisions in Section 163.3184(8), Florida Statutes, do not apply to the Remedial Plan Amendment.

9. Review of Remedial Plan Amendments and Notice of Intent. Within 30 days after receipt of the adopted Remedial Plan Amendments and Support Documents, the Department shall issue a Notice of Intent pursuant to Section 163.3184, Florida Statutes, for the adopted amendments in accordance with this Agreement.

a. In Compliance: If the adopted Remedial Actions satisfy this Agreement, the Department shall issue a cumulative Notice of Intent addressing both the Plan Amendment

and the Remedial Plan Amendment as being in compliance. The Department shall file this cumulative notice with DOAH and shall move to realign the parties or to have this proceeding dismissed, as may be appropriate.

b. Not in Compliance: If the Remedial Actions do not satisfy this Agreement, the Department shall issue a Notice of Intent to find the Plan Amendment not in compliance and shall forward the notice to DOAH for consolidation with the pending proceeding.

10. Effect of Amendment. Adoption of any Remedial Plan Amendment shall not be counted toward the frequency restrictions imposed upon plan amendments pursuant to Section 163.3187(1), Florida Statutes.

11. Purpose of this Agreement; Not Establishing Precedent. The parties enter into this Agreement in a spirit of cooperation for the purpose of avoiding costly, lengthy and unnecessary litigation and in recognition of the desire for the speedy and reasonable resolution of disputes arising out of or related to the Plan Amendment. The acceptance of proposals for purposes of this Agreement is part of a negotiated agreement affecting many factual and legal issues and is not an endorsement of, and does not establish precedent for, the use of these proposals in any other circumstances or by any other local government.

12. Approval by Governing Body. This Agreement has been approved by the Local Government's governing body at a public hearing advertised at least 10 days prior to the hearing in a newspaper of general circulation in the manner prescribed for advertisements in Section 163.3184(15)(c), Florida Statutes. This Agreement has been executed by the appropriate officer as provided in the Local Government's charter or other regulations.

13. Changes in Law. Nothing in this Agreement shall be construed to relieve either party from adhering to the law, and in the event of a change in any statute or administrative regulation inconsistent with this agreement, the statute or regulation shall take precedence and shall be deemed incorporated in this Agreement by reference.

14. Other Persons Unaffected. Nothing in this Agreement shall be deemed to affect the rights of any person not a party to this Agreement. This Agreement is not intended to benefit any third party.

15. Attorney Fees and Costs. Each party shall bear its own costs, including attorney fees, incurred in connection with the above-captioned case and this Agreement.

16. Effective Date. This Agreement shall become effective immediately upon execution by the Department and the Local Government.

17. Filing and Continuance. This Agreement shall be filed with DOAH by the Department after execution by the parties. Upon the filing of this Agreement, the administrative proceeding in this matter shall be stayed by the Administrative Law Judge in accordance with Section 163.3184(16)(b), Florida Statutes.

18. Retention of Right to Final Hearing. Both parties hereby retain the right to have a final hearing in this proceeding in the event of a breach of this Agreement, and nothing in this Agreement shall be deemed a waiver of such right. Any party to this Agreement may move to have this matter set for hearing if it becomes apparent that any other party whose action is required by this Agreement is not proceeding in good faith to take that action.

19. Construction of Agreement. All parties to this Agreement are deemed to have participated in its drafting. In the event of any ambiguity in the terms of this Agreement, the parties agree that such ambiguity shall be construed without regard to which of the parties drafted the provision in question.

20. Entire Agreement. This is the entire agreement between the parties and no verbal or written assurance or promise is effective or binding unless included in this document.

21. Governmental Discretion Unaffected. This Agreement is not intended to bind the Local Government in the exercise of governmental discretion which is exercisable in accordance with law only upon the giving of appropriate public notice and required public hearings.

22. Multiple Originals. This Agreement may be executed in any number of originals, all of which evidence one agreement, and only one of which need be produced for any purpose.

23. Captions. The captions inserted in this Agreement are for the purpose of convenience only and shall not be utilized to construe or interpret any provision of this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their undersigned officials as duly authorized.

DEPARTMENT OF COMMUNITY AFFAIRS

By: Valerie J. Hubbard  
Valerie J. Hubbard, AICP  
Division of Community Planning  
1/10/04  
Date

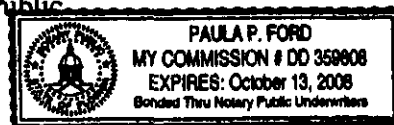
Approved as to form and legality:

Kelly M.  
Assistant General Counsel  
12/21/04  
Date

STATE OF FLORIDA  
COUNTY OF LEON

The foregoing instrument was acknowledged before me this 11<sup>th</sup> day of January, 2005, by Valerie J. Hubbard, who is personally known to me or who has produced N/A as identification and who did/did not take an oath.

Paula P. Ford  
Notary Public



WAKULLA COUNTY

By: Maxie Lawhon  
~~Mike Stewart~~ MAXIE LAWHON  
Chairman, Board of County  
Commissioners

Approved as to form and legality:

[Signature]  
County Attorney

12/10/04  
Date

12/10/04  
Date

STATE OF FLORIDA  
COUNTY OF WAKULLA

The foregoing instrument was acknowledged before me this 10<sup>th</sup> day of  
December, 2004, by Maxie Lawhon, Chairman of the Board & Ronald A. Mourey, attorney are  
have for the Board who is personally  
known to me or who has produced \_\_\_\_\_ as identification and  
who did/did not take an oath.

Tracy E Douglas  
Notary Public



Tracy E Douglas  
My Commission 0D133679  
Expires July 14, 2006

FLORIDA WILDLIFE FEDERATION

By: \_\_\_\_\_  
Manley Fuller  
Executive Director

\_\_\_\_\_  
Date

Approved as to form and legality:

\_\_\_\_\_  
Attorney

\_\_\_\_\_  
Date

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2004, by \_\_\_\_\_, who is personally known to me or who has produced \_\_\_\_\_ as identification and who did/did not take an oath.

THE SIERRA CLUB

By: \_\_\_\_\_  
Sierra Club Representative

Approved as to form and legality:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Attorney

\_\_\_\_\_  
Date

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2004, by \_\_\_\_\_, who is personally known to me or who has produced \_\_\_\_\_ as identification and who did/did not take an oath.

CONCERNED CITIZENS OF WAKULLA COUNTY, INC.

By: \_\_\_\_\_  
CCOW Representative

Approved as to form and legality:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Attorney

\_\_\_\_\_  
Date

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2004, by \_\_\_\_\_, who is personally known to me or who has produced \_\_\_\_\_ as identification and who did/did not take an oath.

N.G. WADE INVESTMENT COMPANY

By: *William A. McArthur*  
William A. McArthur, President  
N. G. Wade Investment Company

*11/9/04*  
Date

Approved as to form and legality:

*[Signature]*  
Attorney

*11-2-04*  
Date

STATE OF FLORIDA  
COUNTY OF *DUVAL*

The foregoing instrument was acknowledged before me this *9<sup>th</sup>* day of *November*,  
2004, by *Wm A. McArthur*, who is personally known to me or who has  
produced \_\_\_\_\_ as identification and who did/did not take  
an oath.

(Seal) GENEVA A. RAY  
Notary Public, State of Florida  
My comm. expires Nov. 29, 2005  
Comm. No. DD 073527

*Geneva A. Ray*  
Notary Public  
My commission expires:  
*November 29, 2005*

Date: 12/3/03

Time: 3:00 PM

Pages: 13

Sender: 8509222679

Remote CSID: 8509222679 8509222679  
12/03/2003 15:01

DCA GENERAL COUNSEL

PAGE 02/12

Attachment # 1  
Page 17 of 34

STATE OF FLORIDA  
DIVISION OF ADMINISTRATIVE HEARINGS

STATE OF FLORIDA, DEPARTMENT  
OF COMMUNITY AFFAIRS,

Petitioner,

v.

Docket No. 03-1-NOI-6501-(A)-(N)

WAKULLA COUNTY,

Respondent.

PETITION FOR FORMAL ADMINISTRATIVE HEARING

Petitioner, Department of Community Affairs ("Department"), hereby files this petition against the Respondent, Wakulla County ("County"), and as grounds in support states:

1. The Department is the state land planning agency and has authority to administer and enforce the Local Government Comprehensive Planning and Land Development Regulation Act, Chapter 163, Part II, Fla. Stat. (2003) ("the Act").
2. Among the responsibilities of the Department under the Act is the duty to review plan amendments submitted by local governments and to determine if the plan amendments are in compliance with the Act. Section 163.3184(8)(b), Fla. Stat. (2003).
3. "In compliance" means consistent with the requirements of Sections 163.3177, 163.3176, (when a local government adopts an educational facilities element), 163.3178, 163.3180, 163.3191, and 163.3245, Fla. Stat. (2003), the State Comprehensive Plan, the Regional Policy Plan, and Rule 9J-5, Florida Administrative Code. Section 163.3184(1)(b), Fla. Stat. (2003).

Received Event (Event Succeeded)

Date: 12/3/03

Time: 3:00 PM

Pages: 13

Sender: 8509222679

Remote CSID: 8509222679 8509222679  
127 03/2003 13.07

DCA GENERAL COUNSEL

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4. Wakulla County is a local government that has the duty to adopt comprehensive plan amendments that comply with the Act pursuant to Sections 163.3167(2), 163.3177 and 163.3184, Fla. Stat. (2003).

5. On October 6, 2003, the County adopted Ordinance No. 2003-23, which adopted amendments to its comprehensive plan.

6. The Department complied with and completed all general and specific statutory prerequisites and conditions required by Section 163.3184, Fla. Stat. (2003), and found the plan amendments to be partially not in compliance as issued in its Statement of Intent dated and published on November 27, 2003.

7. A copy of the Statement of Intent issued by the Department concerning the plan amendments is attached as Exhibit A, and a copy of the Notice of Intent is attached as Exhibit B, which are hereby incorporated by reference.

8. The plan amendments that are the subject of this Petition are not in compliance because they contain "inconsistent provisions" described in the Statement of Intent.

9. The Department has determined that the plan amendments may be brought into compliance by accomplishing the "recommended remedial actions" described in the Statement of Intent or by completing other remedial actions that eliminate the inconsistencies.

WHEREFORE, the Department petitions for an administrative hearing on this matter and requests that the Administrative Law Judge issue a recommended order to the Administrative Commission finding the plan amendments to be not in compliance and specifying remedial actions to bring the plan amendments into compliance.

Received Event (Event Succeeded)

Date: 12/3/03  
Pages: 13  
Remote CSID: 8509222679  
1278372083 15.87 8509222679

Time: 3:00 PM  
Sender: 8509222679

DCA GENERAL COUNSEL

PAGE 04/12

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Page 19 of 34

Respectfully submitted on this 2<sup>nd</sup> day of December 2003.

Timothy E. Dennis  
Timothy E. Dennis  
Assistant General Counsel  
Heidi Hughes  
General Counsel  
Department of Community Affairs  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100  
(850) 488-0410 (850) 922-2679 fax

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was  
furnished to each of the persons listed below by U.S. Mail on this 2<sup>nd</sup> day of December  
2003.

Timothy E. Dennis  
Timothy E. Dennis  
Assistant General Counsel

The Honorable Mike Stewart  
Chairman, Wakulla County  
Board of County Commissioners  
Post Office Box 1263  
Crawfordville, Florida 32326

Mr. Donnie Sparkman  
Director of Planning  
P.O. Drawer 1210  
Crawfordville, Florida 32326

Ms. Lei Czek  
Executive Director  
West Florida Regional  
Planning Council  
Post Office Box 9759  
Pensacola, Florida 32513-9759

October 22<sup>nd</sup> changes are in Bold Underline and are found on pages 11 and 13. August 31<sup>st</sup> draft changes are in ~~double strikethrough~~ and double underline format and are found on pages 5,7,8,9,12 and 13.

Because of the extensive proposed changes to FLUE Policies 1.2.9 and 1.2.9.1 from the original language, they are shown as completely struck through revised underlined policy language following. New Comprehensive Plan Policies established are Transportation Policies 1.5 and 1.6, Conservation Policy 5.7 and Future Land Use Policy 1.2.11.

#### Future Land Use Policy 1.2.9

##### Policy 1.2.9: Sustainable Community

(1) Description—~~This mixed use designation promotes the creation of self-contained new communities in unincorporated Wakulla County. The designation provides for a mix of land uses which address the social, environmental, economic, and infrastructure needs of the county into the next century. Distinguishable features of a Sustainable Community may include pedestrian and bicycle trails; public transit and alternative transportation modes; public open spaces; nature parks, conservation areas, environmental preserves and greenway linkages; facilities for public and higher education; police and fire protection services; building energy efficiency; crime prevention through environmental design (CPTED); affordable housing; and commercial and light industrial areas located in proximity to residential areas. The designation of Sustainable Community shall be applied by Wakulla County to further six broad principles of sustainability;~~

- ~~\* Restoring key ecosystems;~~
- ~~\* Achieving a more clean, healthy environment;~~
- ~~\* Limiting urban sprawl;~~
- ~~\* Protecting wildlife and natural areas;~~
- ~~\* Advancing the efficient use of land and other resources;~~
- ~~\* Creating quality communities and jobs;~~
- ~~\* Minimizing external traffic impacts and maximizing internal capture rates.~~

~~A Sustainable Community is a development that will not customarily be built out within less than a ten (10) year planning time frame. During this period, long term sustainable development patterns will be promoted, as outlined in best Development Practices (DCA, March 1997) and Pedestrian and Transit Friendly Designs (FDOT March 1996).~~

##### (2) ~~Permitted/Prohibited Uses~~

- ~~(a) This is a mixed use designation in which suburban or exurban residential is the predominant use. Various types of residential and non-residential uses may be permitted at intensities consistent with the community character and the natural environment. Heavy industrial use and similarly incompatible uses shall be prohibited. This mixed use~~

designation is generally appropriate in areas where there are crossroads with good access near which development should be concentrated, such as in the county's Enterprise Zones and urban service areas, where central sewer and water exist.

~~(b) Agricultural and forestry activities which produce odors or rely on unrestricted applications of pesticides or other similar materials shall be limited in proximity to residential areas.~~

~~(c) Public land uses, including schools, may be permitted within this land use designation subject to staff review, public hearing, and approval process if compatible and consistent with the land use designation and established as a Conditional Use in the Wakulla County Land Development Code.~~

~~(3) Density/Intensity Limitations~~

~~(a) In areas outside the coastal high hazard area, residential development may be permitted at a maximum allocated density of sixteen (16) units per acre, but the total residential development shall not exceed 75 percent of the overall land area.~~

~~(b) Within the coastal high hazard area, residential development shall be permitted at densities not to exceed four (4) units per acre in areas where central water and sewer (including package plants) are available.~~

~~(c) Non-residential development shall be allowed at a maximum floor area ratio (FAR) of 0.5 where central water and sewer are available, unless a substantial amount of public open space has been set aside. If substantial public open spaces have been designated within the community, non-residential development may be permitted with a maximum FAR of 0.7 where central water and sewer are available.~~

~~(d) Combined commercial and light industrial use shall be limited to a maximum of thirty five (35) percent of the total land area and overall non-residential use shall not exceed fifty (50) percent of the total land area.~~

~~(4) Special Development Standards~~

~~(a) Properties in the Sustainable Community designation may only be developed or redeveloped after being rezoned to Planned Unit Development (PUD). The Land Use Plan for each PUD within the community shall identify all land uses, infrastructure, open space, recreational and common areas, phasing, alternate transportation modes, and environmental features and constraints.~~

~~(b) Concurrence exceptions or alternative LOS measures to areas in the Sustainable Community may be permitted through the use of techniques consistent with Florida Statute 163.~~

- ~~(c) Non-residential land uses may be permitted if the proposed use is not harmful to or inconsistent with sustainable land use purposes.~~
  - ~~(d) Non-residential development should be clustered to provide open spaces and buffers and shall be subject to review and approval pursuant to the review procedures identified in the Land Development Code.~~
  - ~~(e) Non-residential development of structures over five thousand (5,000) gross square feet in area shall meet fire flow concurrency pursuant to the County Land Development Code.~~
  - ~~(f) Commercial uses located along principal arteries shall be set back sufficiently to accommodate future right of way as identified in the Traffic Circulation Element.~~
  - ~~(g) Significant environmental areas such as wetlands shall be conserved in their natural state. These areas may be deeded to non-profit organizations for preservation and conservation, ownership may be public, or made subject to deed restrictions. Where alteration is necessary, appropriate mitigation will be required.~~
- 
- ~~(h) Where areas exist which are habitat for threatened or endangered species, contain isolated wetlands, or where lands are set aside as open spaces, the density of residential use shall be maintained, as addressed by transfer of development rights in the Land Development Code.~~
  - ~~(i) Preference should be given to preservation of quality native vegetation as landscaping in non-residential areas, rather than clearing and replanting.~~
  - ~~(j) Native trees must be conserved in accordance with the designation and criteria in the Land Development Code.~~
  - ~~(k) The construction of all buildings should be in compliance with the Florida Energy Efficiency Code and each developer must conference with Wakulla County's staff to discuss energy consumption reduction.~~

(1) Description - This mixed use designation promotes the creation of self-contained new communities in unincorporated Wakulla County. The designation provides for an integrated mix of land uses which address the social, environmental, economic, and infrastructure needs of the county into the next century. Distinguishable features of a Sustainable Community may include pedestrian and bicycle trails; public transit and alternative transportation modes; public open spaces; nature parks, conservation areas, environmental preserves and greenway linkages; facilities for public and higher education; police and fire protection services; building energy efficiency; crime prevention through environmental design (CPTED); affordable housing; and commercial and light industrial areas located in proximity to residential areas. The designation

of Sustainable Community shall be applied by Wakulla County to further eight broad principles of sustainability;

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- Restoring key ecosystems;
- Achieving a more clean, healthy environment;
- Limiting urban sprawl;
- Protecting wildlife and natural areas;
- Protecting natural groundwater resources and aquifer recharge areas
- Advancing the efficient use of land and other resources;
- Creating quality communities and jobs;
- Minimizing external traffic impacts and maximizing internal capture rates.

A Sustainable Community is a development that will not customarily be built-out within less than a ten (10) year planning time frame. During this period, long-term sustainable development patterns will be promoted, as outlined in best Development Practices (DCA, March 1997) and Pedestrian and Transit Friendly Designs (FDOT March 1996 as updated).

(2) Permitted/Prohibited Uses

(a) This is a mixed use designation in which suburban or exurban residential is the predominant use. Various types of residential and non-residential uses may be permitted at intensities consistent with the community character and the natural environment. Heavy industrial use and similarly incompatible uses shall be prohibited. This mixed-use designation is generally appropriate in areas where there are crossroads with good access near which development should be concentrated, such as in the county's Enterprise Zones and urban service areas, where central sewer and water exist.

(b) Agricultural and forestry activities that produce odors or rely on unrestricted applications of pesticides or other similar materials shall be limited in proximity to residential areas.

(c) Disposal of residual solids from wastewater treatment or septic tanks shall be prohibited if odors would adversely affect the use of adjacent properties, or leeching would increase levels of nitrogen or phosphorus in ground or surface waters.

(d) Public land uses, including schools, may be permitted within this land use designation subject to staff review, public hearing, and approval process if compatible and consistent with the land use designation and established as a Conditional Use in the Wakulla County Land Development Code.

(3) Density/Intensity Limitations

(a) Sustainable Community designations shall only be applied to areas of sufficient size to ensure that meaningful scale and mixture of use is achieved.

- (b) Residential development outside the coastal high hazard area may be permitted at a density of 10 dwelling units per acre.
- (c) Residential Development within the coastal high-hazard area, shall be permitted at densities not to exceed four (4) units per acre in areas where central water and sewer (including package plants) are available. However, a Sustainable Community Designation may not be approved within the coastal high-hazard area if it would result in an increase in residential development potential.
- (d) Non-residential development shall be allowed at a maximum floor-area ratio (FAR) of 0.5 where central water and sewer are available.
- (e) Each Development shall contain the following percentage distribution of mix of uses:

<u>Land Use Category</u>	<u>Density/Intensity</u>	<u>Distribution of Mix Min. ~ Maximum %</u>
<u>Residential</u>	<u>10 du/acre*</u>	<u>40%-48%</u>
<u>Commercial (Retail/Office)</u>	<u>.5 FAR</u>	<u>7%-12%</u>
<u>Industrial</u>	<u>.5 FAR</u>	<u>0-15%</u>
<u>Open Space**</u>	<u>N/A</u>	<u>Minimum of 45%</u>

\*Except within Coastal High Hazard Areas  
\*\*Open Space: Within the Sustainable Community land use category, open space is intended to consist of naturally vegetated areas and natural resource features such as wetlands, streams, habitats and land features. Passive uses including nature trails, bike/pedestrian trails and habitat observation areas shall be allowed. Residential and non-residential uses including yards for such development shall be prohibited within areas designated as open space, with the exception of structures for the care taking and for management and maintenance of the areas.

- (f) Each development shall ensure that the ratio of non-residential development providing job potential is approximately 1.5 jobs to 1 residential unit calculated based on the assumptions that commercial/retail and industrial result in approximately 1 job per 500 square feet, office results in approximately 1 job per 200 square feet and the average household size is approximately 2.57 persons; with an acceptable range of 1.0-1.7 to 1. The housing provided should include opportunities for a range of units affordable based on income wages earned associated with the provided non-residential uses.
- (4) Properties may only be developed or redeveloped after being rezoned to Planned Unit Development (PUD). The overall area of any Sustainable Community Designation shall be subject to a unified PUD zoning district. The Land Use Plan for each PUD shall identify all land uses, infrastructure, open space, recreational and common areas, phasing, alternate transportation modes, and environmental features and constraints. At the time of the initial PUD approval all common open space within the sustainable community shall be encumbered with a conservation easement. The Land Development Regulations shall be

amended to address native plant species utilization, and requirements for identification and consideration of specific site characteristics.

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(5) Special Development Standards

- (a) Concurrency exceptions or alternative LOS measures may be permitted through the use of techniques consistent with Chapter 163, Part II, Florida Statutes. An amendment to the comprehensive plan is necessary to establish a concurrency exemption or alternative LOS measure.
- (b) Non-residential land uses may be permitted if the proposed use is not harmful to or inconsistent with the principles of sustainability set forth in Policy 1.2.9(1).
- (c) Non-residential development should be clustered to provide open spaces and buffers and shall be subject to review and approval pursuant to the review procedures identified in the Land Development Code.
- (d) Non-residential development of structures over 5,000 gross square feet in area shall meet fire flow concurrency pursuant to the Land Development Code.
- (e) Commercial uses located along principal arteries shall be set back sufficiently to accommodate future right-of-way as identified in the Traffic Circulation Element and buffer zones as specified by the Land Development Code.
- (f) Significant environmental areas such as wetlands and listed species habitat shall be conserved in their natural state. These areas may be deeded to non-profit organizations for preservation and conservation. Ownership may be public or made subject to deed restrictions. Where alteration cannot be avoided appropriate mitigation shall be required.
- (g) Where areas exist which are habitat for state and federally listed species or locally significant ecological communities, contain isolated wetlands, or where lands are set aside as open spaces, the density of residential use shall be maintained, as addressed by transfer of development rights in the Land Development Code. Open space shall be planned to maximize connectivity among habitats, to maintain separations between urban and suburban areas, and rural areas, to minimize sprawl, to connect other open space, park or greenway corridors within and adjacent to the Sustainable Community, and to preserve viability of existing biological communities. Open space networks shall be identified and mapped. To the maximum extent possible, open space will be connected to existing public protected areas, existing conservation areas, and riparian or coastal buffers to establish and maintain large unfragmented areas of open space. Within the development, open space shall be contiguous, and shall maintain connectivity, to the maximum extent possible, with adjacent open space.
- (h) Preference shall be given to preservation of quality native vegetation as landscaping in non-residential areas, rather than clearing and replanting.

- (i) Native trees shall be conserved in accordance with the designation and criteria in the Land Development Code.
- (j) The construction of all buildings shall be in compliance with the Florida Energy Efficiency Code and each developer must conference with County staff to discuss energy consumption reduction.
- (k) Each development shall be supported by a needs analysis on a County-wide basis that assesses the current and future land use needs for both residential and non-residential uses.
- (l) Each development shall prepare a Stormwater Management Plan and demonstrate that the cumulative impacts of development result in no net increase in nutrient loading for nitrates. If located within the Wakulla Springs Contribution Area as defined in exhibit B.1 or where there are special features such as high aquifer recharge areas, karst features, and sink holes, the development shall include a Stormwater Management Plan with special provisions to address these features.
- (m) Each development shall participate in the Transit/TDM plan required by Transportation Policy (TCE policy) 1.5., shall be designed to result in a minimum internal capture rate of 15% for trips, and shall make provisions for implementing Transit/TDM measures. The Transit/TDM measures shall include, but not be limited to, provision of on-site park and ride facilities, implementation of measures identified in the Transit/TDM plan when developed, and incorporation of pedestrian and transit friendly design consideration.
- (n) Each development shall be designed to incorporate an overall pedestrian/bikeway network which links open space, residential and non-residential development within the Sustainable Community, as well as connecting to other open space, and bike and pedestrian facilities off-site when feasible.
- (o) Each sustainable development shall reduce water usage by implementing water conservation measures and requiring water flow reduction devices.
- (p) A Landscape Management Plan shall be required as a pre-requisite for approval of PUDs within the Sustainable Community land use category. The Landscape Management Plan shall minimize use of maintained turf, require predominant use of native vegetation, minimize the need for irrigation, fertilization, and chemical applications, provide for property owner education, implementation and enforcement, and identify management practices to be implemented including maintenance responsibilities and any conservation easement requirements applying to open space.
- (q) Each development shall be phased and monitored to ensure compliance with the adopted roadway levels of service as implemented through the Wakulla County concurrency management process. In addition, fair share mitigation of transportation impacts shall be provided to a local government whose jurisdictional boundaries are within two miles of a Sustainable Community Designation.

(6) Administration

In recognition of the complexity of the Sustainable Community Designation the developer shall be required as a condition of the unified Planned Unit Development to provide an annual report to Wakulla County which addresses development which has occurred within the previous year, development anticipated in the upcoming year and compliance with the requirements identified herein. When requesting development permits the applicant shall demonstrate to the satisfaction of Wakulla County that all applicable requirements have been met.

Future Land Use Policy 1.2.9

1.2.9.1: Northeast Wakulla County Sustainable Community

The 606 +/- acres designated as Sustainable Community by Ordinance No. \_\_\_\_\_ shall be subject to the following limitations and standards:

- a. ~~Densities and Intensities of Development shall not exceed:~~
  - 1. ~~1000 single family units;~~
  - 2. ~~250 multi-family units;~~
  - 3. ~~300,000 square feet of commercial space; and~~
  - 4. ~~200,000 square feet of office space.~~
- b. ~~A school site of not less than 40 acres shall be provided~~
- c. ~~Sewage treatment facilities to serve this site shall be designed and constructed to Advanced Wastewater Treatment standards, including water re-use;~~
- d. ~~Use of roadside curbs and gutters shall be discouraged, and grassed roadside swales required where safety considerations allow. Sidewalks where appropriate shall be only on one side of the street. Integrated pest management and best management practices for fertilization shall be followed.~~
- e. ~~Covenants and restrictions, site plan provisions, and a Landscape Management Plan, shall require best management practices and performance standards to limit impervious surfaces and turf grass areas, protection of natural vegetation, and promote the use of pervious parking areas. Rooftop drainage shall be directed to vegetated areas and swales, and away from paved surfaces. Covenants and restrictions for residential development shall contain the following provision:~~
  - ~~All lot owners shall employ the principles and practices of the Florida Yards and Neighborhoods Program. All lot owners are encouraged to create a landscape plan that uses vegetation as close to the natural vegetation type normally found in the area as possible. Use of Xeriscape Methodology to assist with water conservation is required. The use of guttering is required to capture water draining from dwellings, and downspouts shall direct the flow into appropriate vegetated areas for absorption and vegetative filtration.~~
- f. ~~A Stormwater Management Plan shall be required, in accordance with the criteria of the St. Johns River Water Management District.~~
- g. ~~Parks, preserves and open space shall be managed where soils permit for maintenance and creation of historic Wakulla Sand Hills habitat.~~

(1) Development: The 606+/- acres designated as Sustainable Community by Ordinance No. 2003-23 and Ordinance No. 2004- shall be subject to the following limitations and standards:

(a) ~~The Northeast Wakulla County Sustainable Community shall be required to submit a unified Planned Unit Development master plan addressing the overall area of the designation consistent with this section and shall be required to be consistent with the general requirements of the Sustainable Community land use category Policy 1.2.9. The Northeast Wakulla County Sustainable Community PUD(s) shall include master planning to facilitate a community design at buildout that provides for and encourages the internalization of vehicular traffic, provides for a comprehensive system of pedestrian and bicycle ways, and provides interconnected undisturbed open space areas. Open space areas shall be shown as part of the overall PUD(s) master plan(s).~~

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(b) The Sustainable Community shall be limited to the following maximum levels of development that includes the following phases and thresholds as specified below and is based on the availability of adequate public facilities and services at the locally adopted levels of service. Each stage of development is required to be reviewed and submitted in its entirety and shall be designed to function as an inter-related mix with all previously completed stages including the initial phase.

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650 single-family units;  
150 multi-family units;  
350,000 square feet of retail/commercial space; and  
100,000 square feet of office space.

1. An initial level shall consist of:

300 single-family units;  
50 multi-family units;  
157,500 square feet of retail/commercial; and  
42,000 square feet of office

2. Subsequent to build-out of the first phase as outlined above, an additional 100 single-family units (for a total of 400 single-family units), 45,000 square feet of retail/commercial (for a total of 202,500 square feet) and 12,000 square feet of office (for a total of 54,000 square feet) shall be allowed subsequent to demonstration by the developer to Wakulla County that adequate public facilities and services at the locally adopted levels of service are available, and that the following criteria have been met that:

a) Retail/commercial development in the amount of 157,500 sf and office development in the amount of 42,000 sf (or an equivalent combination of commercial/retail and office resulting in identical job creation) have been completed and occupied. Development created in Opportunity Park may be applied to this requirement but cannot count towards more than the equivalent of

20,000 sf of office or 71,000 sf of retail/commercial (equal to 45% of the required levels of the non-residential development);

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- b) Based on a nitrate loading study, performed by a licensed professional using professionally acceptable methodology approved by the NFWFMD and the DEP, the cumulative development, including the initial level of development set forth in Policy 1.2.9.1.(b)(1) and the additional level of development set forth in Policy 1.2.9.1.(b)(2), will result in no net increase in nutrient loading to groundwater; and
  - c) Adequate public facilities and services are available at the locally adopted level of service. Additionally, for transportation, demonstration of participation in the County Transit/TDM program. The Developer shall demonstrate to Wakulla County that the first phase of the development results in a minimum of 15% internal vehicular capture during the pm peak hour for new trips associated with the mix of land uses proposed. The provision of a comprehensive system of interconnected pedestrian and bicycle ways shall reduce the required internal vehicular trip capture rate requirement to 10%.
3. Subsequent to build-out of the first and second phases as outlined above, an additional 250 single-family units (for a total of 650 units), 100 multi-family units (for a total of 150 units), 147,500 sf of commercial/retail (for a total of 350,000 square feet) and 46,000 sf of office (for a total of 100,000 square feet) shall be allowed pursuant to the demonstration of the following:
- a) Compliance with requirements in 1.2.9.1(2) (a-c);
  - b) Retail/commercial sf of 200,000 and office sf of 54,000 (or an equivalent combination of commercial/retail and office resulting in identical job creation) have been completed and occupied. Development within Opportunity Park may contribute up to 50% of these square footage requirements;
  - c) Based on a nitrate loading study, performed by a licensed professional using professionally acceptable methodology approved by the NFWFMD and the DEP, development at the maximum level specified in 1.2.9.1.(b) will result in no net increase in nutrient loading to groundwater. The study can take into account specific on-site activities or compensatory reduction off-site through the expansion of AWT service;
  - d) Adequate public facilities and services are provided at the adopted level of service including identification and scheduling of any needed roadway improvements to address deficiencies in the SR 363 (Woodville Highway) Corridor in both Leon and Wakulla County. Demonstration of participation in the County Transit/TDM program and a minimum of 15% internal vehicular trip capture for the development is also maintained. The provision of a comprehensive system of interconnected pedestrian and bicycle ways shall reduce the required internal vehicular trip capture rate requirement to 10%; and

- e) Completion of the County needs analysis required in Future Land Use Element Policy 1.2.11.

(c) A school site of not less than 40 acres shall be provided.

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| (d) Sanitary Sewer: Sewage treatment facilities to serve this site shall be designed and constructed to Advanced Wastewater Treatment (AWT) standards, including water re-use;

1. Prior to any development, the wastewater treatment facility and associated spray field shall be upgraded to provide 600,000 gallons per day of AWT capacity. It shall be upgraded and designed to use wastewater re-use as the primary means of effluent disposal contingent on available demand. All development within this "Sustainable Community" shall be served by the central wastewater treatment facility at a treatment level of AWT. At no time shall development within this "Sustainable Community" be served by on-site systems or at a treatment level less than AWT.
2. No rapid infiltration basins shall be utilized for effluent disposal.
3. Water reuse, defined as treated, recycled effluent from the AWT plant, shall be used for this Sustainable Community. At the time the on-site wastewater infrastructure is constructed the water reuse infrastructure (defined as all piping necessary to serve all development within this Sustainable Community with recycled water from the AWT plant) shall also be constructed. All development within the Sustainable Community shall be required to implement water re-use. All common areas that require watering shall incorporate water reuse.

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| (e) Stormwater measures shall include the following:

1. Specific facilities:

- a) Roadside swales shall be required in lieu of curb and gutter for all streets excluding SR 363 (Woodville Highway) and Commerce Boulevard.
- b) Rooftop drainage shall be directed to vegetated areas and swales, and away from impervious surfaces;
- c) Commercial/retail and office land uses within this Sustainable Community shall utilize pervious pavement for parking lots and be maintained properly. Alternative materials may be used in limited areas with extreme load bearing such as delivery and loading areas and high traffic areas such as entrances and exitways where it can be demonstrated that pervious applications are not feasible or appropriate.
- d) A Stormwater Management Plan shall be required, and must be in accordance with the karst criteria of the St. Johns River Water Management District. As part of the required Stormwater Management Plan, a hydrologic balance analysis must be provided to demonstrate that post-development stormwater impacts will not

exceed pre-development stormwater impacts. Post-development stormwater quality and quantity must equal pre-development stormwater quality and quantity.

- e) Integrated pest management and best management practices for fertilization shall be followed and mechanisms for enforcement of such practices shall be developed and implemented.

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- f) A minimum of four groundwater monitoring wells shall be established within this Sustainable Community to document groundwater trends and impacts, and to ensure that best management practices being used are protecting groundwater resources. Two wells should be upgradient and two wells down gradient. Prior to any on-site development activities (including grading and movement of soils) the developer shall gather samples to establish pre-development (background) water quality conditions. Sampling shall be performed semi-annually and the results provided to the NFWFMD, DEP and DCA within 30 days of sampling. Sampling parameters shall include but not be limited to nitrogen and phosphorus series and total suspended solids. If the monitoring indicates a degradation in water quality based on the established statistical criteria as directed by NFWFMD and DEP, no further development shall be permitted until the developer implements corrective actions that alleviate the identified water quality issue(s).

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- g) Open Space: This Sustainable Community shall maintain a minimum of 45% of the gross land area as common open space, as defined in Policy 1.2.9(3)(e). Such open space shall be designated on the unified Planned Unit Development master plan and recorded on the plat. Prior to the first building permit At the time of the initial PUD approval all common open space within the overall Sustainable Community Designation shall be encumbered by a conservation easement. The primary purposes of open space include permanent protection of land so that it will function naturally for recharge, reduction of maintained landscape surface area, reduction of nutrient inputs and water withdrawals from the aquifer, provision of wildlife habitat, and protection of groundwater quality. The open space shall include any karst features on-site. The open space shall consider the NFWFMD watershed management priorities and the FNAI Integrated Habitat Rankings and, where possible, maintain linkages.

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- h) Covenants and restrictions and site plan provisions shall include the following:

1. Parcel Coverage:

- a) for residential, the development shall require that 50% of the gross acreage of the individual parcel (square footage) be left in predevelopment native vegetation or if replanting is needed a variety of appropriate native vegetation may be used; and
- b) for non-residential, the development shall require that 35% of the gross acreage of the individual parcel (square footage) be left in predevelopment native vegetation or if replanting is needed a variety of appropriate native vegetation may be used.

2. Clearing: To ensure the protection of existing native vegetation, development standards shall require that only the footprint of development and a ten (10) foot buffer will be cleared during the site preparation and construction stage. Areas of native vegetation must be "flagged" for protection from vehicles and machinery and the utmost due care

shall be taken to protect native vegetation growing on-site. Fuel management activity for wildfire mitigation, such as thinning and removal of understory and pruning of overstory limbs, shall be allowed as necessary to maintain a defensible space buffer.

3. BMPs: All development shall require best management practices as dictated by the principles and practices of the Florida Yards and Neighborhoods Program. Material on the Florida Yards and Neighborhoods Program shall be given to landowners/developers by the County prior to commencing any on-site activities. An annual Florida Yards and Neighborhoods Program Education Workshop shall be conducted by the County within this Sustainable Community to increase awareness of the potential groundwater impacts from landscape and turfgrass maintenance practices.

| (i) Parks, preserves, and open space shall be managed, where soils permit, for maintenance and creation of historic Wakulla Sand Hills habitat.

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| (j) The County shall address inter-county impacts attributable to this Sustainable Community along the Woodville Highway Corridor through participation in local coordinative programs and by developer mitigation.

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| (k) The County shall implement the following transportation measures associated with the development identified in Policy 1.2.9.1.b. Activities shall include, but are not limited to:

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1. Participation in the Leon County MPO and MPO Planning Process for development of a Long Range Transportation Plan (LRTP) to address issues within the Woodville Highway Corridor, including potential improvements and non-automotive transportation opportunities;
2. Coordination by June 30, 2005, with the MPO and FDOT to conduct an analysis of the Woodville Highway Corridor to determine what short-term and long-term improvements will be needed to maintain adopted level of service including consideration of development of additional inter-county links;
3. Revision of the Comprehensive Plan to include a revised projected future traffic circulation map and other revisions as applicable to ensure consistency with requirements in 9J-5.019(4) and (5), Fla. Admin.Code, and to implement Wakulla County's transportation concurrency management system;
4. Participation in the Transit/TDM Program as established by Transportation Policy 1.5.;
5. By June 30, 2005 Wakulla County shall develop an interlocal agreement with Leon County that addresses how the two counties will coordinate to study and resolve the anticipated transportation impacts on the Woodville Highway (SR 363 corridor) from the Sustainable Community Development as identified in Policy 1.2.9.1.b. and

- ~~6. As a condition of the unified Planned Unit Development, the Northeast Wakulla County Sustainable Community shall provide fair share mitigation for roadway impacts in Leon County.~~

#### Future Land Use Policy 1.2.11

Policy 1.2.11: By June 30, 2005, the County shall prepare and complete a land use needs analysis including residential and non-residential land uses. The needs analysis shall be conducted using a professionally accepted methodology approved by the Department. All proposed amendments to the Future Land Use Map shall provide a land use needs analysis as data and analysis.

#### Transportation Policies 1.5 and 1.6

Policy 1.5: The County shall establish a Transit/Transportation Demand Management (TDM) program by June 30, 2005. The proposed Transit/TDM program shall, at a minimum consider the following:

1. Parking management provisions, including parking areas and preferential parking for vanpooling purposes;
2. Mandatory display of transit and current ridesharing information in all public gathering areas, in employment centers, and in commercial areas;
3. Work hour adjustments such as: compressed work weeks; staggered work hours involving a shift in the work hours or employees; and flexible work hours involving individually determined work hours within guidelines established by the employer;
4. Facilitation of increase in non-automotive transit services and implementation of a shuttle service;
5. Establishment of a program to help coordinate ride sharing, transit information and use, flex time, telecommuting, and traffic condition reporting;
6. County promotion of the use of non-automotive transit service through fare discounts as applicable;
7. Required consideration of dedicated easements and improved pathways for use by bicyclists and pedestrians in all development plans in the Sustainable Community land use category; and
8. Identification of methods to implement the Transit/TDM program.

The County shall submit a copy of the Transit/TDM program and each annual update to the MPO within 30 days of completion.

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Policy 1.6: By January 1, 2006, the County shall complete a transportation analysis and scheduling of appropriate short-term and long-term transportation improvements that address identified deficiencies in the Wakulla County roadway network. No additional Future Land Use Map amendments shall be adopted within the Woodville Highway Corridor (SR 363) within Wakulla County until the analysis and scheduling is complete.

Conservation Policy 5.7

Policy 5.7: By January 1, 2005, the County shall transmit an update to the Conservation Element that addresses enhancements to groundwater and sinkhole protection including but not limited to, the Wakulla Springs contribution area, high aquifer recharge areas, and karst areas.